

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Panchayat Secretaries- Sri Fareed Mohiuddin, former Panchayat Secretary,(Executive Officer, Grade-I),(Retd.) Gram Panchayat, Kothapally (V), Adilabad District - Retired from service pending Enquiry in disciplinary case as per the APCS (CCA) Rules,1991 on certain irregularities committed by him – Imposition of 5% cut in pension permanently besides recovery of Rs.21,250/- along with interest @ 10% Pa – Orders issued .

PANCHAYAT RAJ AND RURAL DEVELOPMENT(ESTT.VIII)DEPARTMENT

G.O.Rt.No. 385

Dt:- 19. 2.2014.

Read the following;

1. Representation of Sri Fareed Mohiuddin, Panchayat Secretary, (EO) (Retd), Gram Panchayat, Kasipet (M), Adilabad District.
2. Govt.Memo.No.14495/Estt.VIII/A2/2011-1, dt.20.7.2011 .
3. Orders of the Hon'ble APAT, Hyd in the OA No. 6072/2011,Dt.19.7.2011.
4. Govt. Memo.No.14495/Estt.VIII/A2/2011 -2, dt.3.8.2011.
5. From the CPR & RE, Hyd Lr.No.8121/CPR & RE/B2/09, dt.8.8.2011.
6. G.O.Ms.No. 287,PR&RD (Estt.VIII)Dept.,dt.27.8.2011.
7. From the CPR&RE, Hyd. Lr.No.8121/CPR&RE/B2/2009, dt.27.4.2013 & 12.7.2013.
8. Govt. Memo No.14495/E.VIII/A2/2011, Dt.14. 8.2011.
9. Explanation of Sri Fareed Mohiuddin, Pt. Secy.,(Retd.) Kasipet, Adilabad Dist, dt.8.10.2013.
10. Govt. Lr. No.14495/E.VIII/A2/2011, Dt. 5.12.2013
11. From the Secretary, APPSC, Hyd. Lr.No.2287/RT/1/2013, dt.25.1.2014.

In the reference 1st read above, Sri Fareed Mohiuddin, Panchayat Secretary,(EO) (Retd), Gram Panchayat, Kasipet (M), Adilabad District has made a representation to the Government requesting to regulate his suspension period i.e., from 1.7.2007 to 6.9.2007 as on duty and release the increments from 2007 to 2011 and subsistence allowance and arrears.

2. In the reference 2nd read above, the Commissioner for Panchayat Raj & Rural Employment, Hyderabad was requested to take necessary action as he is the appointing and disciplinary authority to the post of Panchayat Secretary (EO) of the Gram Panchayat.

3. In the reference 3rd read above, the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad in its OA No.6072/2011 Dtd.19.7.2011 filed by Sri Fareed Mohiuddin, Panchayat Secretary,(EO) (Retd), Gram Panchayat, Kasipet (M), Adilabad District have directed the respondents to dispose the representation of the applicant Dtd.27.6.11 by passing appropriate orders. Hence, the Commissioner for Panchayat Raj & Rural Employment, Hyderabad was requested to take immediate necessary action in the matter vide reference 4th read above.

4. In the reference 5th read above, the Commissioner for Panchayat Raj & Rural Employment, Hyderabad has informed that the Dist. Collector, Adilabad has reported that Sub-Collector Asifabad issued the suspension orders against Sri Fareed Mohiuddin, former Panchayat Secretary,(EO,Gr.I) Gr.Pt., Kothapally for misuse of funds and subsequently the Collector (PW) Adilabad ratified the action of the Sub-Collector. The APAT, Hyderabad has set aside the

suspension orders issued by the Sub-Collector, Asifabad in the OA filed by the individual and the individual was reinstated into service pending enquiry and requested the Government to issue necessary permission to initiate disciplinary action as the individual is retired from service on 30.4.2011 and the Government is competent authority as per Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980.

5. Accordingly, vide reference 6th read above, Government have accorded permission to initiate disciplinary action against Sri Fareed Mohiuddin, former Panchayat Secretary,(Executive Officer, Grade-I), Gram Panchayat, Kothapally, Adilabad District and retired from Gram Panchayat, Kasipet (M), Adilabad District on 30.4.2011 under Sub clause (i) of clause (b) of sub Rule (2) of Rule 9 of A.P. Revised Pension Rules,1980.

6. In the reference 7th read above, the Commissioner for Panchayat Raj & Rural Employment, Hyderabad has stated that charge memo has been issued to the charged officer and the charged officer has submitted his explanation. The CEO, ZPP, Adilabad was appointed as Enquiry Officer and the Enquiry officer has submitted his enquiry report stating that out of 5 charges framed against the charged officer, 4 charges were not proved and one charge i.e., 3rd charge is held proved to an extent of Rs.21,250/- for which no vouchers were produced before the enquiry officer and therefore the expenditure without vouchers comes under objection. The Commissioner for Panchayat Raj & Rural Employment, Hyderabad has further stated that the enquiry report was communicated to the charged officer and the charged officer has submitted his explanation duly stating that the amount was utilized for the purpose of development of weekly market land with gravel and requested to drop further action. Hence the Commissioner for Panchayat Raj & Rural Employment, Hyderabad has requested the Government for issue of final orders in this case as the employee was retired from service.

7. After careful examination of the matter, the Government have observed that the charge No.3 involves grave misconduct i.e., diversion of Panchayat income without remitting it leading to misappropriation causing breach of trust, ultimate permanent misappropriation. Hence Government have taken a provisional decision for imposition of 5% cut in pension permanently besides recovery of Rs.21,250/- along with interest @ 10% P.a on Sri Fareed Mohiuddin, former Panchayat Secretary,(EO,Gr.I) Gr.Pt., Kothapally, Adilabad Dist.

8. Accordingly, in the reference 8th read above, a show cause notice was issued to the individual directing to show cause as to why a penalty of 5% cut in pension permanently besides recovery of Rs.21,250/- along with interest @ 10% P.a should not be imposed on him under Andhra Pradesh Revised Pension Rules, 1980, for the irregularities committed by him in the capacity of Panchayat Secretary,(Executive Officer, Grade-I), Gram Panchayat, Kothapally, Adilabad District.

9. In the reference 9th read above, the charged officer has submitted his explanation. The explanation has been examined and it has been decided to confirm the provisional decision already taken by the Govt.

10. In the reference 10th read above, the APPSC has been requested to advise on the above decision taken by the Government.

11. In the reference 11th read above, the APPSC, Hyd. has agreed with the decision of the Government.

12. After careful examination of the matter, Government hereby impose the punishment of 5% cut in pension permanently besides recovery of Rs.21,250/-

along with interest @ 10% P.a on Sri Fareed Mohiuddin, former Panchayat Secretary,(EO,Gr.I) Gr.Pt., Kothapally, Adilabad Dist.

13. The Commissioner for Panchayat Raj & Rural Employment, AP., Hyderabad is requested to take necessary action accordingly.

14. The original file bearing No. 8121/CPR&RE/B2/2009 received from the Commissioner for Panchayat Raj & Rural Employment, AP., Hyderabad is returned herewith. The receipt of record may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
The Individual through the CPR&RE, Hyderabad.
The Commissioner for Panchayat Raj & Rural Employment, AP.,
Hyderabad.(WE)

Copy to

The District Collector, Adilabad.
The District Panchayat Officer, Adilabad.
The Accountant General, AP., Hyderabad.
The Secretary, AP Public Service Commission, Hyderabad.
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// FORWARDED : : BY ORDER //

SECTION OFFICER